

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION**

Rachel Genaro-Meza

Plaintiff,

v.

Accelerated Collection Services, Inc.

Defendant.

Case No.

**COMPLAINT FOR DAMAGES  
UNDER THE FAIR DEBT COLLECTION  
PRACTICES ACT AND OTHER  
EQUITABLE RELIEF**

**JURY DEMAND ENDORSED HEREIN**

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**PARTIES**

1. Plaintiff is a natural person who resided in Bellevue, WA at all times relevant to this action.
2. Defendant is a Washington corporation that maintained its principal place of business in Auburn, WA at all times relevant to this action.

**JURISDICTION AND VENUE**

3. Pursuant to 28 U.S.C. §1331, this Court has federal question jurisdiction over this matter as it arises under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692 et seq.
4. Pursuant to 28 U.S.C. §1391(b), venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

**STATEMENT OF FACTS**

5. At all times relevant to this action, Defendant engaged in the business of consumer debt collection.
6. Defendant regularly uses the telephone and mail to collect consumer debts that Defendant either purchased or had been hired to collect.

7. The principal source of Defendant's revenue is debt collection.
8. Defendant is a "debt collector" as defined by 15 U.S.C. §1692a(6).
9. As described below, Defendant contacted Plaintiff about an obligation that Plaintiff allegedly owed to Overlake Hospital Medical Center, which had been incurred for personal rather than commercial purposes.
10. This alleged obligation is a "debt" as defined by 15 U.S.C. §1692a(5).
11. As described below, Defendant attempted to collect the debt from Plaintiff, and in so doing, has alleged that Plaintiff owed the debt.
12. Plaintiff is a "consumer" as defined by 15 U.S.C. §1692a(3).
13. On or around March 21, 2011, Plaintiff telephoned Defendant.
14. During this communication, Defendant threatened to sue Plaintiff.
15. At the time of these communications, Defendant had neither the intent nor ability to sue Plaintiff.
16. Defendant caused Plaintiff emotional distress.
17. Defendant violated the FDCPA.

### **COUNT ONE**

#### **Violation of the Fair Debt Collection Practices Act**

18. Defendant violated 15 U.S.C. §1692e by using false, deceptive, or misleading representations or means in connection with the collection of the debt.
19. In support hereof, Plaintiff incorporates paragraphs 13-15 as if specifically stated herein.

**JURY DEMAND**

20. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

21. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

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